

### **REMARKS**

This is in response to the Office Communication mailed January 15, 2004 from the U.S. Patent Office.

Applicants have previously filed a corrected response with respect to claims 696 and 697. This response was filed on February 4, 2004. The Office Communication of January 15, 2004 stated that claims 696 and 697 did not conform to the requirements of 37 C.F.R. §1.173(b)(2). In the response filed February 4, 2004, Applicants underlined claims 696 and 697. As Applicants have cancelled claims 696 and 697 in this response, this issue is now moot.

Claims 581-586, 588-596, 696, and 697 have been cancelled. Applicants reserve the right to pursue claims similar or identical to these claims in one or more continuation applications claiming priority to the instant application.

#### *The Original Patent*

Applicants will submit the original patent when all other issues have been resolved.

#### *Information Disclosure Statement*

Applicants submit herewith an Information Disclosure Statement.

#### *Reissue Oath/Declaration*

Applicants will submit a revised Reissue Application Declaration when all other issues have been resolved.

#### *Claims 696 and 697*

As discussed above, claims 696 and 697 have been cancelled.

#### *Claimed Aspect Ratio*

Applicants have amended the specification to recite the aspect ratios discussed in the 37 C.F.R. §1.132 declaration signed on October 27, 2003 (filed October 30, 2003). It is noted that this amendment only makes explicit what was inherently disclosed in the application. Thus, no new matter has been added.

*Rejection of Claims 581-586, 588-596, 696, and 697 under 35 U.S.C. §251*

Claims 581-586, 588-596, 696, and 697 were rejected under 35 U.S.C. §251 as being an improper recapture of broadened claimed subject matter surrendered in the application.

While Applicants do not concede the merits of any of the rejections as set forth in the Office Action, Applicants have elected to cancel claims 581-586, 588-596, 696, and 697, solely for the purpose of expediting the patent application process. Applicants reserve the right to pursue claims similar or identical to the rejected claims as pending prior to cancellation herein in one or more continuation applications claiming priority to the instant application.

*Rejection under Nagai*

Claims 581-586, 588-596, 696, and 697 were rejected in view of Nagai.

Without acceding to the correctness of the rejection of claims 581-586, 588-596, 696, and 697 in view of Nagai, Applicants have cancelled these claims solely for the purpose of expediting the patent application process. Applicants reserve the right to pursue claims similar or identical to the rejected claims as pending prior to cancellation herein in one or more continuation applications claiming priority to the instant application.

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**CONCLUSION**

In view of the foregoing, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this response, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representatives at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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